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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,310	07/18/2003	Hideo Mizuta	2003_0974A	2531

513 7590 06/28/2006

WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON, DC 20006-1021

EXAMINER

JEANGLAUDE, JEAN BRUNER

ART UNIT	PAPER NUMBER
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2819

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON DC 20006-1021

JUN 26 2006

In re Application of	:	
MIZUTA, Hideo	:	DECISION ON PETITION
Application No. 10/621,310	:	
Filed: July 18, 2003	:	
Title: MAGNETIC ENCODER	:	

This is a decision on the petition filed October 6, 2004, requesting that the holding of abandonment in the above-identified application be withdrawn.

The petition to withdraw the holding of abandonment is GRANTED.

An Ex Parte Quayle Office action was mailed on March 23, 2004, setting a two-month period of response. A Notice of Abandonment was mailed September 28, 2004.

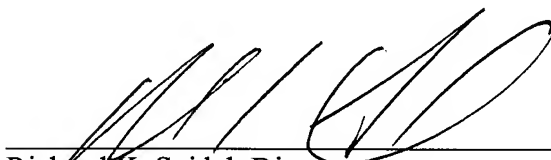
Petitioner asserts that a response titled "Response to Ex Parte Quayle Action" and a Petition for Extension of Time with the appropriate fee was timely filed in the Patent and Trademark Office on September 23, 2004. This is evidenced by a complete copy of the previously filed response titled "Response to Ex Parte Quayle Action," a copy of the Petition for Extension of Time and a copy of the of the date-stamped postcard receipt indicating receipt of the response in the Patent and Trademark Office on September 23, 2004.

The review of the application file reveals that the response to the May 23, 2004 Office action was received and matched with the file. However, the response was not noticed by either the examiner or the technical support staff and consequently the application was held to be abandoned. The application is not abandoned in fact.

For the above reasons, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. Inconvenience to petitioner is regretted.

The application file is being forwarded to the technical support staff for processing the response to the March 23, 2004 Office action. From there, it will be returned to the examiner for further prosecution.

Questions regarding this decision should be directed to Jose' G. Dees at 571-272-1569.



Richard K. Seidel, Director
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